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REMARKS

Claims 1-7, 9, 12-20, 22, 25-31, and 33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over A. Jalali, R. Pankaj (IEEE, 2000 (Data throughput of CDMA-HDR a High Efficiency-High Data rate personal communication Wireless System)) in view of Kaniyar et al. (US Publication No. 2003/0084175). Claims 8, 10-11, 21, 23, 24, 32, 34, and 35 are indicated to include patentable subject matter. Applicants have incorporated the limitations of allowable claims 8, 21, and 34 into independent claims 1, 12, and 25, respectively. All other claims now depend, either directly or indirectly, from independent claims that include patentable subject matter. Therefore, the rejection has been traversed.

Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-7, 9, 12-20, 22, 25-31, and 33 under 35 U.S.C. 102(e).

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-7, 9, 12-20, 22, 25-31, and 33 and allow claims 1-7, 9-20, 22-33, and 35. Applicants believe that the application is in condition for allowance. Favorable reconsideration of this application in light of the above is respectfully requested. If a telephone interview with Applicants' Attorney would further the prosecution of the present application, the Examiner is invited to contact the undersigned at the indicated telephone number.

Respectfully,

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by:



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